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Plenty of frame-up practice

Those eternal optimists who think that Brezhnev was an improvement on Khrushchev, and Andropov on Brezhnev, and Chernenko on Andropov, and Gorbachev on Chernenko, and that every day the Soviet Union is getting better and better, must be a little puzzled by the arrest of Nicholas Daniloff, *U.S. News and World Report* Moscow correspondent.

Let me tell these optimists a little bit of Soviet history which may explain things.

On Oct. 30, 1963, FBI agents in New York captured three KGB officers and an American engineer, John W. Butenko, at their New York rendezvous. Two of the KGB officers were untouchable because they had diplomatic immunity. The third officer, Igor A. Ivanov, was an Amtorg trading corporation chauffeur: no diplomatic immunity. The evidence of espionage against him and Mr. Butenko would have been sufficient to ensure their conviction in an American court.

Something had to be done by the Soviet secret police to save their non-immune agent from going to jail. Vladimir Ye. Semichastny, KGB chairman from 1961 to 1967, went to Leonid Brezhnev (Mr. Khrushchev was out of town) on Oct. 31 and got permission to frame, yes, frame as a U.S. spy Professor Frederick C. Barghoorn, Yale University political scientist and a leading Sovietologist,

who happened to be visiting Moscow. By arresting Mr. Barghoorn, the Soviets could then offer an honorable exchange of prisoners, one innocent American academician for one Chekist — Soviet slang for a KGB officer.

According to John Barron, a senior editor at *Reader's Digest* who is regarded as our leading authority on the KGB, the Soviet police on this same tour had already drugged Mr. Barghoorn's coffee while he was visiting Tbilisi, the capital of Georgia. He became so ill that he had to be hospitalized. The KGB gave him the Mickey Finn so Mr. Barghoorn's clothes, baggage, and notes could be searched. They found nothing incriminating.

So Mr. Barghoorn on his last night in Moscow is driven in the U.S. ambassador's car back to his hotel from a farewell drink with Walter Stoessel, then the charge d'affaires. As he enters the hotel, someone shoves a bunch of papers into Mr. Barghoorn's hands and runs away. The papers, concocted by the KGB disinformation department, ostensibly contain data about Soviet air defenses. The KGB pounces on Mr. Barghoorn and drags him off to a cell in the infamous Lubyanka Prison with a copy of Theodore Dreiser's *An American Tragedy* for light reading. Same modus operandi as for Mr. Daniloff.

The American Embassy knew nothing about this arrest: first, because the U.S. ambassador's chauffeur, a KGB agent, didn't tell anybody what had happened and, second, because Mr. Barghoorn was scheduled to fly to the United States the next morning and everybody assumed he had left. In violation of U.S.-Soviet agreements, Mr. Barghoorn was kept incommunicado for several days. The first the embassy knew about the arrest was when the Soviet let it be known that there could be a swap — Mr. Barghoorn for Mr. Ivanov.

President John F. Kennedy at a press conference Nov. 14, 1963, publicly denounced the arrest and demanded Mr. Barghoorn's release. Two days later Mr. Barghoorn was freed and the frame-up was over. What happened to the arrested KGB operative I don't know, but I'll make a small bet he didn't rot in jail reading Dreiser's collected works.

According to Mr. Barron, Mr. Khrushchev didn't at all mind the frameup by Mr. Semichastny. After all it's standard Soviet operating procedure.

What Mr. Khrushchev supposedly minded was that KGB Chairman Semichastny hadn't known that Mr. Barghoorn was a friend of JFK and that the president would make it an embarrassing personal issue.

The moral of the story is this:

Soviet frame-ups are normal be-

havior in a country where, despite the protestations of Harvard's Professor Harold Berman and others like him, there can never be a rule of law. In other words, everything is permissible in a country where the Soviet Politburo and its incumbent leading light, Mikhail Gorbachev, can say, quite correctly, "We are the law."

Second, the Barghoorn frame-up could not have happened without the direct participation of the highest

Politburo authorities. Mr. Daniloff couldn't have been framed without Mr. Gorbachev's knowing about it. And if Mr. Gorbachev were out of town, as Mr. Khrushchev had been, and the KGB cops arrested Mr. Daniloff without getting Mr. Gorbachev's permission, Mr. Gorbachev could have evened the score by freeing Mr. Daniloff on the spot, sacking his mutinous cops, and letting Mr. Daniloff sue for false arrest. And one day we'll see enchilada trees growing ripe tortillas.

Soon we shall probably hear that the Daniloff arrest was instigated by Communist Party officials who don't want a summit meeting with President Reagan and, therefore, framed Mr. Daniloff to embarrass Mr. Gorbachev.

I'll bet some TV news comic like Sam Donaldson or Dan Rather is doing a talking head right now about how the hard-liners in the Kremlin are doing a number on Mr. Gorbachev, the peace lover. Poor Mischa.